

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION

IN RE: RANDY HAROLD BAKER

Case #15-33764-SHB  
Chapter 13

**NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING**

**Pursuant to Local Rule 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at US BANKRUPTCY COURT, 800 MARKET ST. STE 330, KNOXVILLE, TN 37902 an objection within twenty-one (21) days from the date this paper was filed and serve a copy on the Chapter 13 Trustee, PO Box 228, Knoxville, TN 37901 and the debtor(s)' attorney, Richard M. Mayer and/or John P. Newton, Law Offices of Mayer & Newton, 1111 Northshore Dr. S-570, Knoxville, TN 37919. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing.**

MOTION BY CHAPTER 13 TRUSTEE PER FRBP 3002.1(e) DETERMINATION OF FEES,  
EXPENSES, OR CHARGES FILED BY NEWPORT FEDERAL BANK

NEWPORT FEDERAL BANK filed a Notice of Postpetition Mortgage Fees, Expenses, and Charges on 1/22/2016 for fees, expenses, and/or charges in the amount of \$400.00. The plan as confirmed surrendered the real property securing the mortgage of NEWPORT FEDERAL BANK. This Court entered an order on 4/14/2016 disallowing the secured claim of NEWPORT FEDERAL BANK pending a timely filed amended deficiency claim, which has not been filed. The Trustee seeks to disallow the post-petition fee claim of NEWPORT FEDERAL BANK in the amount of \$400.00 asserted under Federal Rule of Bankruptcy Procedure 3002.1, which applies to ongoing principal residence mortgage claims and not surrendered mortgage deficiency claim treatments.

Wherefore, based on the foregoing, the supplemental claim of NEWPORT FEDERAL BANK filed on 1/22/2016 In the amount of \$400.00 should be disallowed in its entirety

Respectfully submitted,

/s/ Gwendolyn M. Kerney (by ml w/perm)  
GWENDOLYN M. KERNEY, #07280  
Chapter 13 Trustee  
P O Box 228  
Knoxville, TN 37901  
(865) 524- 4995

SUBMISSION AND CERTIFICATE OF SERVICE BY CHAPTER 13 TRUSTEE

Based on information and belief, the Chapter 13 Trustee hereby certifies the correctness of the facts contained in this Motion, Notice and Proposed Order and hereby certifies that a true and exact copy of the same has been serviced by electronic mail and/or by first class United States mail postage prepaid on the following individuals as addressed below this 27th day of April, 2015.

/s/ Gwendolyn M. Kerney (by ml w/perm)  
GWENDOLYN M. KERNEY, #07280  
Chapter 13 Trustee

RANDY HAROLD BAKER  
353 POPLAR GROVE ROAD  
HARROGATE, TN 37752

RICHARD M. MAYER AND/OR JOHN P. NEWTON  
LAW OFFICES OF MAYER & NEWTON  
1111 NORTSHORE DR. S-570  
KNOXVILLE, TN 37919

UNITED STATES TRUSTEE  
800 MARKET STREET SUITE 114  
KNOXVILLE, TN 37902

NEWPORT FEDERAL BANK  
ATTN: OFFICER OF THE BANK  
170 W. BROADWAY  
NEWPORT, TN 37821-  
CERTIFIED MAIL: 7015 1520 0002 7412 6502

THOMAS H. DICKENSON, ATTORNEY  
HODGES, DOUGHTY & CARSON, PLLC  
PO BOX 869  
KNOXVILLE, TN 37901-0869